

EXHIBIT A

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June 13, 2022

Jennifer Bonjean
Bonjean Law Group, PLLC
750 Lexington Ave., 9th Fl.
New York, NY 10022

Re: United States v. Robert Sylvester Kelly, a/k/a R. Kelly

Dear Ms. Bonjean:

My colleagues and I have evaluated Mr. Kelly with respect to issues the Court may find relevant at the sentencing hearing scheduled for June 29, 2022. We interviewed Mr. Kelly for over 14 hours, located and interviewed 10 collateral witnesses who knew Mr. Kelly during childhood, and reviewed the materials your office provided and a few biographical materials we located. These sources of information are all listed below.

Our division of tasks was that Daniel Martell, PhD, conducted neuropsychological testing, Shawnte Alexander, EdD, conducted collateral interviews, and Renee Sorrentino, MD, and I interviewed Mr. Kelly together. Dr. Martell's report is focused on the neuropsychological testing. Dr. Sorrentino's report contains a complete history and focuses on Mr. Kelly's sexual and relationship history and psychiatric diagnoses, while this report focuses on adverse childhood experiences, illiteracy, victimization during adulthood, the question of coercive control, the effects of stardom, and positive character traits, touching briefly on psychiatric diagnosis. I rely on the first-hand observations of collateral witnesses interviewed by Dr. Alexander.

Rather than repeat information already known to the Court, I focus here on specific information about the history and characteristics of Mr. Kelly identified through our evaluation that may not yet have been brought to the Court's attention.

Sources of Information

Unless otherwise cited in the body of this report, the biographical and first-person accounts included here are drawn from the interviews of the defendant that I conducted jointly with Dr. Sorrentino.

Interviews of Defendant

- Interview of Robert Kelly at MDC Brooklyn by Park Dietz, MD, MPH, PhD, and Renee Sorrentino, MD, 5/24/22 (5 hrs., 45 mins.)
- Interview of Robert Kelly at MDC Brooklyn by Park Dietz, MD, MPH, PhD, and Renee Sorrentino, MD, 5/25/22 (6 hrs., 40 mins.)
- Webex Interview of Robert Kelly by Park Dietz, MD, MPH, PhD, and Renee Sorrentino, MD, 6/1/22 (2 hrs.)

Forensic Evaluation Reports

- Forensic Neuropsychological Examination Report by Daniel A. Martell, PhD, 6/6/22
- Mitigation Report by Renee Sorrentino, MD, 6/13/22

Collateral Interviews

- Interview of Janet Edmonds by Shawnte Alexander, Ed.D., 5/17/22
- Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22
- Interview of Gregory Preston by Shawnte Alexander, Ed.D., 5/18/22
- Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22
- Interview of Reginald King by Shawnte Alexander, Ed.D., 5/23/22
- Interview of Deborah Harris by Shawnte Alexander, Ed.D., 5/24/22
- Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22
- Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22
- Interview of Robert Bradley by Shawnte Alexander, Ed.D., 5/27/22
- Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22

Documents

- Superseding Indictment
- Verdict Sheet
- Defendant Robert Kelly's Memorandum of Law in Support of His Supplemental Motion for a New Trial
- Government Response to Supplemental Motion for a New Trial
- Defendant Robert Kelly's Reply in Response to the Government's Memorandum of Law in Opposition to Defendant's Motion for a Judgment of Acquittal
- Bureau of Prisons Medical Records
- Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis
- Defendant Robert Kelly's Objections to the Presentence Report

Media

- Video: GX 328(a) - IMG_0899
- Video: GX 329(a) - IMG_1786
- Video: GX 330(a) - IMG_2303
- Video: GX 341(a) - IMG_2111
- Video: GX 342(a) - IMG_2113
- Video: GX 343 - IMG_2114
- "Surviving R. Kelly," Season 1, Episode 1
- "Surviving R. Kelly," Season 1, Episode 2
- Kelly R, with Ritz D: *Soulacoaster: The Diary of Me*. New York, Smiley Books, 2011.

FINDINGS

Adverse Childhood Experiences

Adverse childhood experiences—often abbreviated as ACEs—have been the focus of countless studies for more than 20 years¹ following the 1998 publication that introduced this approach.² The Robert Wood Johnson Foundation offers a succinct summary of this research effort:

Traumatic childhood events such as abuse, neglect, and witnessing experiences like crime, parental conflict, mental illness, and substance abuse can result in long-term negative effects on learning, behavior and health. Often referred to as adverse childhood experiences (ACEs), these types of events create dangerous levels of stress that can derail healthy brain development, and increase risk for smoking, alcoholism, depression, heart disease, and dozens of other illnesses and unhealthy behaviors throughout life.³

Much of the research on ACEs relies on self-reported (or parent-reported) responses to questionnaires, such as the Adverse Childhood Experience Questionnaire for Adults.⁴ To ensure that information gathered for present purposes was more reliable than mere self-report, we sought corroboration or refutation through collateral witnesses, as indicated below.

¹ On 6/4/22, a search of Google Scholar for the phrase "adverse childhood experiences study" returned "about 1,770,000" results. See: https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=adverse+childhood+experiences+study&btnG=

² Felitti VJ, Anda RF, Nordenberg D, et al.: Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults: The Adverse Childhood Experiences (ACE) Study. *American Journal of Preventive Medicine* 1998;14(4):245-258.

³ <https://www.rwjf.org/en/library/collections/aces.html>, downloaded 6/4/22.

⁴ <https://www.acesaware.org/wp-content/uploads/2020/02/ACE-Questionnaire-for-Adults-Identified-English.pdf>, downloaded 5/13/22.

The particular questions asked in ACEs research are not uniform from study to study. As one report notes:

There is no single agreed-upon list of experiences that encompass what we refer to as adverse childhood experiences. The original ACEs study asked a large sample of adults about seven childhood experiences: psychological, physical, and sexual abuse, as well as exposure in the home to substance abuse, mental illness and suicide, incarceration, or violence. Since then, the list of ACEs used in one or more studies has been expanded to include physical and emotional neglect, parental separation and divorce, exposure to violence outside of the home, living in unsafe neighborhoods, homelessness, bullying, discrimination based on race or ethnicity, and experience of income insecurity.⁵ [Citation omitted.]

During the interview of Mr. Kelly, I asked him the 10 questions in the Adverse Childhood Experience Questionnaire for Adults, one of the commonly used versions of this inventory, and he endorsed these six of the 10 experiences:

- Did you feel that you didn't have enough to eat, had to wear dirty clothes, or had no one to protect or take care of you?
- Did you lose a parent through divorce, abandonment, death, or other reason?
- Did you live with anyone who had a problem with drinking or using drugs, including prescription drugs?
- Did your parents or adults in your home ever hit, punch, beat, or threaten to harm each other?
- Did a parent or adult in your home ever swear at you, insult you, or put you down?
- Did you experience unwanted sexual contact (such as fondling or oral/anal/vaginal intercourse/penetration)?

In addition, he described several ACEs that were not included in that questionnaire that have been included in other studies, namely, bullying, exposure to violent crime, and witnessing death. Below, I synopsise what Mr. Kelly and collateral witnesses said about each of these, but before turning to that evidence, it is important to understand the significance of anyone having actually been exposed to so many adverse childhood experiences.

Sacks and Murphey (2018) summarized a large body of research conducted over the course of 20 years:

⁵ Sacks V, Murphey D: The prevalence of adverse childhood experiences, nationally, by state, and by race or ethnicity. *Child Trends*, February 12, 2018. Available at: <https://www.childtrends.org/publications/prevalence-adverse-childhood-experiences-nationally-state-race-ethnicity>

ACEs have been linked to numerous negative outcomes in adulthood, and research has increasingly identified effects of ACEs in childhood. Negative outcomes associated with ACEs include some of society's most intractable (and, in many cases, growing) health issues: alcoholism, drug abuse, depression, suicide, poor physical health, and obesity. There is also some evidence that ACEs are linked to lower educational attainment, unemployment, and poverty. In childhood, children who have experienced ACEs are more likely to struggle in school and have emotional and behavioral challenges. Nevertheless, not all children who experience one of these adverse events (or even more than one) are negatively affected; much depends on the context in which they occur—particularly the context of positive relationships.

Research has found that the risk for negative outcomes increases with the number of ACEs; in other words, children who have experienced multiple ACEs are substantially more likely to be negatively affected than children who have experienced only one. A seminal study published in the late 1990s by Felitti, Anda, and their colleagues (that first coined the term “adverse childhood experiences”) found that adults who had experienced four or more ACEs had a particularly high risk for negative physical and mental health outcomes, including some of the leading causes of death in the United States. Subsequent studies have identified lower thresholds, ranging from one to three ACEs, as the tipping point at which risk increases greatly. There are likely to be multiple factors that account for individual variation in response to adversity, including genetic predispositions and other biological characteristics, as well as contextual factors such as supportive adult relationships.⁶ [Citations omitted.]

The prevalence of ACEs has been explored in large samples, the largest and most diverse of which at the time of publication in 2018 reflected self-report responses in a nationally representative telephone survey of noninstitutionalized adults in 23 states that included an 11-item ACE assessment in their annual Behavioral Risk Factor Surveillance System from 2011-2014. In that study, of 214,157 respondents included in the sample, 15.8% reported four or more ACEs. Participants who identified as black reported significantly higher ACE exposures than those who identified as white.⁷

Many of Mr. Kelly's problems are now known to be adverse outcomes associated with cumulative ACEs, including but not limited to below average academic and

⁶ *Id.*

⁷ Merrick MT, Ford DC, Ports KA, Guinn AS: Prevalence of adverse childhood experiences from the 2011-2014 Behavioral Risk Factor Surveillance System in 23 States. *JAMA Pediatrics* 2018 Nov; 172(11): 1038–1044. Published online 2018 Sep 17. DOI: 10.1001/jamapediatrics.2018.2537. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6248156/?report=printable>

literacy skills by kindergarten age,⁸ lower school engagement,⁹ learning/behavior problems,¹⁰ not completing high school,¹¹ sexually transmitted disease,¹² having 50 or more sexual partners,¹³ anxiety,¹⁴ panic disorder,¹⁵ and criminal conviction.¹⁶ Separately, there is now substantial evidence that a history of being sexually abused as a child is associated with subsequent conviction for sex offenses.¹⁷

Evidence available as of this writing regarding the ACE's endorsed or reported by Mr. Kelly is reviewed below.

Poverty

Mr. Kelly said, "We were very poor. There was no money except enough to pay for rent and food." They bought their clothes at the rummage store. He was often hungry and did not have enough to eat. His mother owed money to "a lot of landlords," and when she couldn't pay, they moved, which is why they moved so often and why he attended at least four different schools prior to high school.

⁸ Jimenez ME, Wade R Jr, Lin Y, et al.: Adverse experiences in early childhood and kindergarten outcomes. *Pediatrics*. 2016;137(2):e20151839. DOI: 10.1542/peds.2015-1839.

⁹ Bethell CD, Newacheck P, Hawes E, Halfon N: Adverse childhood experiences: Assessing the impact on health and school engagement and the mitigating role of resilience. 2014 *Health Affairs* 33(12):2106–2115. DOI: 10.1377/hlthaff.2014.0914.

¹⁰ Burke NJ, Hellman JL, Scott BG, Weems CF, Carrion VG: The impact of adverse childhood experiences on an urban pediatric population. *Child Abuse & Neglect* 2011 June; 35(6):408–413. DOI: 10.1016/j.chiabu.2011.02.006.

¹¹ Merrick MT, Ford DC, Ports KA, Guinn AS: Prevalence of adverse childhood experiences from the 2011-2014 Behavioral Risk Factor Surveillance System in 23 States. *JAMA Pediatrics* 2018 Nov; 172(11): 1038–1044. Published online 2018 Sep 17. DOI: 10.1001/jamapediatrics.2018.2537. Available at:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6248156/?report=printable>.

¹² Felitti VJ, Anda RF, Nordenberg D, et al. Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults. The Adverse Childhood Experiences (ACE) Study. *American Journal of Preventive Medicine* 1998 May;14(4):245–58. DOI: [http://dx.doi.org/10.1016/S0749-3797\(98\)00017-8](http://dx.doi.org/10.1016/S0749-3797(98)00017-8).

¹³ *Id.*

¹⁴ Mersky JP, Topitzes J, Reynolds AJ: Impacts of adverse childhood experiences on health, mental health, and substance use in early adulthood: A cohort study of an urban, minority sample in the U.S. *Child Abuse & Neglect* 2013 November; 37(11):917–925. DOI: 10.1016/j.chiabu.2013.07.011.

¹⁵ Zhang J, Wiecek P, Sami S, Meiser-Stedman R: Association between panic disorder and childhood adversities: A systematic review and meta-analysis. *Psychological Medicine* 2021 Nov 15;1-11. DOI: 10.1017/S0033291721004505.

¹⁶ Reavis JA, Looman J, Franco KA, Rojas B: Adverse childhood experiences and adult criminality: How long must we live before we possess our own lives? *Permanente Journal* 2013 Spring;17(2):44–48. <http://dx.doi.org/10.7812/TPP/12-072>.

¹⁷ Jespersen AF, Lalumière ML, Seto MC. Sexual abuse history among adult sex offenders and non-sex offenders: A meta-analysis. *Child Abuse & Neglect* 2009 Mar;33(3):179–92. DOI: <http://dx.doi.org/10.1016/j.chiabu.2008.07.004>.

[REDACTED]

Angela Belton, who as a teenager was Bruce Kelly's girlfriend, knew Robert as a young boy and confirmed that he came "from very humble beginnings" and "very much so in poverty."¹⁸

Parental Loss

Mr. Kelly was abandoned by his father, whom he had never met. Although he'd heard rumors, he does not know his father's identity. His mother told him that his father left when she refused to have an abortion. His siblings each had different fathers who dropped off Christmas and birthday gifts for them, but his father never did.

Carey Kelly didn't believe that Robert had ever met his father.¹⁹

Bruce Kelly confirmed that Robert's father never visited him and said that Robert saw Lucious as more of a father figure than the other Kelly children did, as evidenced by Robert giving Lucious a black American Express card.²⁰

About six months before his arrest, two women claiming to be his sisters asked him to take a blood test.

Substance Abuse in the Home

[REDACTED]

Bruce Kelly reported:

[REDACTED]

[REDACTED]

¹⁸ Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, pp. 2 and 4.

¹⁹ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, p. 2.

²⁰ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 8.

²¹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 10.

²² Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, p. 3.

²³ Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, p. 3.

[REDACTED]

Witnessing Violence in the Home

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²⁴ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 8.

²⁵ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, p. 3.

Disparagement in the Home

Mr. Kelly responded affirmatively to the question, "Did a parent or adult in your home ever swear at you, insult you, or put you down?" The interview was terminated by correctional staff before he could provide examples of these. I don't consider this ACE substantiated.

Sexual Abuse

Mr. Kelly described multiple sources of sexual abuse and premature sexualization (the latter of which, standing alone, is not necessarily an adverse childhood experience). [REDACTED]

[REDACTED]

[illegible]

²⁶ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 9.

²⁷ Interview of Deborah Harris by Shawnte Alexander, Ed.D., 5/24/22, p. 2.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²⁸ Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, p. 4.

²⁹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 6.

³⁰ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, pp. 6-7.

[REDACTED]

[REDACTED]

[REDACTED]

Bullying

Mr. Kelly reported having been teased and bullied throughout grammar school whenever he was asked to read, do math, or take a test. He was embarrassed to be seen as a “dummy” who can’t read or write. He was also teased and bullied for having a “big butt,” with other children saying he had a “girl booty,” “grandma booty,” or “stripper booty.” During the interview, he hesitated and looked down in shame as he recalled these remarks.

Bruce Kelly also reported that Robert was teased by “a lot of kids” in grammar school “because [of] his inability to read and write” and described him as so shy that he would turn his back to the audience when asked to sing for guests at their home.³³

Deborah Harris said Robert was teased in school because of his clothing and his inability to read.³⁴

³¹ [REDACTED]

³² Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 13.

³³ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 2.

³⁴ Interview of Deborah Harris by Shawnte Alexander, Ed.D., 5/24/22, p. 14.

Larry Hood recalled Robert being teased in childhood because of his clothing.³⁵

Neighborhood Crime

He witnessed and experienced gang violence in childhood.

While playing football in the vacant lot between his home and Mr. Henry's, he was robbed by a gang who beat another boy—the first to run—with broken bottles.

While riding his bicycle to Walgreen's with his brother Bruce, gang members wanted to "borrow" their bikes, so they rode away so fast his "paddle" broke. They got off the bikes and had to fight. He was injured in the fight. Bruce swung his camera at one of the attackers, who ran off.

Reginald Kind, a childhood friend, said, "we were around hustlers, dope dealers, drug dealers, pimps, players, and all that."³⁶

When Mr. Kelly was 14, he was shot in the right arm with a .22 round while riding his bike down the block. He did not recall being shot, but rather hearing a shot, feeling "dizzy," and awakening in a hospital. After being shot, he had nightmares about dying, but not about the shooting. His bicycle was taken away after this, and when he became famous, he bought about 50 bicycles.

While living at 63rd and Michigan, his mother asked him to go to the store. He always ran to the store, but on one occasion boys who thought he was "running up on them" kicked him repeatedly.

Witnessing Death

Mr. Kelly witnessed the drowning death of his first girlfriend, ■■■■, when they were both eight or nine years old and living in Chicago Heights. They and other children snuck through a fence and threw rocks in the "river."³⁷ ■■■■ got too close to the water, and another boy pushed her. She fell in the water, and neither she nor the other children knew how to swim, so they did not jump in to save her. He recalled, "I was screaming." Her drowned body was recovered from Lake Michigan, into which the river flows. ■■■■'s mother, "Miss ■■■■" was Robert's mother's best friend. The whole neighborhood knew of their "puppy love," and all mourned her. For years, he suffered nightmares about this, dreaming of ■■■■ screaming in the current, and couldn't get it out of his waking thoughts. He never went to the river again and avoided going near the water when his stepfather fished at the lake. He

³⁵ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 3.

³⁶ Interview of Reginald King by Shawnte Alexander, Ed.D., 5/23/22, p. 5.

³⁷ This is identified as "Thorn Creek" in the chapter on Lulu's death in his autobiography, but maps of Chicago Heights indicate that it is Thom Creek that flows through the neighborhood, and photographs of Thom Creek depict it resembling a river in width. Kelly R, with Ritz D: *Soulacoaster: The Diary of Me*. New York, Smiley Books, 2011, pp. 11-13.

added, "I can't swim to this day." He became concerned that his children learn to swim.

Bruce Kelly confirmed that Robert must have been eight years old when [REDACTED] drowned and that the family was living in Chicago Heights at the time, and he said that "it was a really traumatic event."³⁸ He described [REDACTED] family as good friends of his family.³⁹

Carey Kelly recalled that when [REDACTED] drowned, Robert "was heartbroken. I could see the difference in him."⁴⁰ He said Robert became even more quiet, and he'd "catch him staring off in space."⁴¹

Illiteracy

Mr. Kelly reported that he does not know how to read, write, or send email. As a child, when he first tried to learn to read, the first word that came to mind was "hell." He recalled that when he attended a school in Oak Lawn at age 8 or earlier, he sat on the school's porch instead of playing with the other children, wondering what was wrong with him. The teacher had asked the children to take turns reading aloud, which caused him fear. He said he was "very scared," and remains so to this day when asked to read aloud. He'd pretend he couldn't see, felt like dying, wanted to be home with his mother, and heard other children snickering at him.

As a child, he envied those who could read, write, socialize, and speak to people comfortably. He feared that if people looked in his eyes, they could see he couldn't read: "I always get that if people could see my eyes or hear me read, they'd know I was the dummy that I was called at the time." (This was among the reasons he began to wear dark glasses at school and when performing.) He feared someone would bring out a book or talk about numbers or something he couldn't discuss.

He said his grades throughout school were mostly Fs except for gym class. He was held back more than once, and at Lewis Worth in Hyde Park, he was the only student in the class with a beard.

In high school, he said, "I was way out of my league, and I knew it." Because he couldn't read, write, or do math, he was silent in class, always putting his head down and acting sleepy. His mind drifted all the time, and he heard music and got a headache, imagining himself somewhere else and trying to forget "the things I was terrible at."

Dr. Martell observed:

³⁸ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 11.

³⁹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 12.

⁴⁰ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, p. 11.

⁴¹ *Id.*

He also found some of the testing anxiety-provoking, as it reminded him of school, and he would become easily overwhelmed. During these times he was observed to yawn, fidget, wipe his eyes, and become distracted by activity outside the examination room.⁴²

On formal testing of academic skills, Dr. Martell found that Mr. Kelly “had significant impairments in all areas of academic functioning, placing him in the bottom first to third percentiles and at the early elementary school level (i.e., first to third grade) overall.”⁴³ Dr. Martell’s testing indicated that Mr. Kelly’s “cognitive abilities are not evenly developed, such that his Full-Scale IQ, which fell in the borderline range (FSIQ=79), does not adequately reflect his overall level of intellectual ability which is more likely in the low average range,” in part due to “his lack of school learning.”⁴⁴

Carey Kelly said “Robert couldn't really grasp a hold to you know, like reading, writing, understanding. . . . That's how we knew that it's a gift that's embedded in him from God. Because if he can't read and write, how can he write songs, the way that he do? But yeah, that, I think that kind of disturbs him. And that kind of bothered him. And that made him feel like, he wasn't normal.”⁴⁵

Childhood friend Reginald King said that Robert struggled with schoolwork, particularly reading.⁴⁶

Childhood friend Larry Hood said:

He probably had like a learning disability. You know, he wasn't the sharpest tool in the drawer, you know, as far as you know, he wasn't able to read and write and stuff like that. Anytime he came in tune with something that involves reading stuff, I had to do it for him. Oh, he struggled with, uh, with his education.⁴⁷

Janet Edmonds, a friend since childhood, recalled that as an adult, Mr. Kelly sometimes had her read business letters to him.⁴⁸

Keith Calvert, a friend since childhood, said that everyone knew that Robert couldn't read and that during an afterschool program they both attended, when others were asked to read aloud, Robert would be asked to sing instead.⁴⁹

Mr. Kelly was so ashamed about his inability to read the teleprompter that he never told anyone of this when accepting Grammy awards, despite his great fear.

⁴² Forensic Neuropsychological Examination Report by Daniel A. Martell, PhD, 6/6/22, p. 3.

⁴³ *Id.*, pp. 6-7.

⁴⁴ *Id.*, p. 5.

⁴⁵ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, p. 8.

⁴⁶ Interview of Reginald King by Shawnte Alexander, Ed.D., 5/23/22, p. 6.

⁴⁷ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 3.

⁴⁸ Interview of Janet Edmonds by Shawnte Alexander, Ed.D., 5/17/22, p. 3.

⁴⁹ Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22, pp. 6-7.

His subjective experience of trying to read is that he gets a headache and watery eyes, feels tired and sleepy, yawns, and hears loud “cluttered music,” which he described as hearing multiple songs at once as if from a radio, which is confusing. Other triggers to hearing this “radio” in his mind are trying to learn to spell and trying to learn to play chess. All of these endeavors make him anxious and trigger the “radio.” As soon as “the pressure” is removed, he feels better and the radio goes away. As best I could elicit from him, the “pressure” he experiences is being asked to read aloud in class or interacting with someone who is trying to teach him reading, spelling, chess, or other feared tasks.

This radio-in-the-head phenomenon is also central to his composition of music. He said, “When a song comes to me, it’s on the radio in my head. I hear the bass line, it’s complete. It’s like I’m cheating on a test.”

Throughout his youth, various people tried to help him learn to read, including his mother, his sister, his brother Bruce, his stepfather Lucious, and his girlfriend Lonneice when he was about 17.⁵⁰ To his knowledge, he never received any special education services. He once saw a video of a woman who can jog but not walk, and this resonated with him because he was able to talk and sing, but not read or write.

Mr. Kelly eventually created a form of notation that used letters from the alphabet and idiosyncratic spelling so that he could create reminders for himself, and he brought notepads to the first day of our examination. At one point, while singing a song he had written, he turned blank pages as he sang, as though reading the lyrics, and used a pair of clear-lensed glasses as a prop, taking them on and off. He commented that he’d always paid attention to how professors and others took their glasses on and off and took notes the way Dr. Sorrentino and I were doing, and he wanted to achieve that look.

Victimization in Adulthood

From the time he had his first break in the music industry, Mr. Kelly was financially exploited. He said that at the time of some sort of audit, he was told his net worth was \$900 million.

Early in Mr. Kelly’s career, he won \$100,000 at a talent show with Natalie Cole, but he said [REDACTED] stole the money and gave him none of it. [REDACTED] introduced him to his lawyer, Daryl Porter, who introduced him to his [REDACTED]

⁵⁰ The spellings of “Lucious” and “Lonneice” used in this report are based on the usage in: Kelly R, with Ritz D: *Soulacoaster: The Diary of Me*. New York, Smiley Books, 2011.

Barry Hankerson (Aaliyah's uncle) became his manager and was paid 20% of Mr. Kelly's income while charging \$100,000 for every meeting. [REDACTED]

[REDACTED]

He replaced Hankerson as his manager with [REDACTED]. Mr. Kelly asked [REDACTED] to invest his money in a recording studio, a cigar bar, and a keyboard branded with his name, but none of this occurred. [REDACTED] instead rented a studio and started Mercadito, a popular restaurant in Chicago. [REDACTED]

Mr. Kelly said that he had been kidnapped in Nigeria [REDACTED].

[REDACTED]

[REDACTED]. As it happened, Mr. Kelly had been with a woman the night before whose uncle was a Chief, and after the Chief spoke to the woman, Mr. Kelly was given a choice to fly home on a private jet with his girlfriends and "auntie" or wait for [REDACTED] to arrive. Mr. Kelly was prepared to wait, but the Chief said the news that R. Kelly was kidnapped was too big, so he had to go home.

Bruce Kelly also described [REDACTED] financial exploitation:

[F]or years I've told Robert about his trusting nature. He trusts people too much. He wants to be accepted. He wants—he wants to be accepted. He wants to be liked, you know. But I used to tell him, you know, because he—there's a difference between, you know, trusting people and liking people and just being a fool with the people, you know. . . . [REDACTED]. . . . After, you know, a year or so, I just started to notice things. I started to get really,

⁵¹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 15.

really, you know, bad feelings about [REDACTED]. I suspected that he was taking Robert's money. So, I told Robert, you know, you need to—you need to sometimes have your—your accountant audited. So, he felt like—you know, he felt like him and [REDACTED] was friends. "Ah man, [REDACTED] cool. I don't need—I don't need to" . . . [A]in't got nothing to do with friendship. You need to have that guy audited and make sure he's doing with your money what he's supposed to be doing. But he never did. He was—he even—Robert got tired of [REDACTED] coming to the [inaudible] when we were playing basketball telling him he needs to sign checks. Robert got tired of that. So, he was like, "Why can't he sign the checks?" "Well, I don't have—I don't have power of attorney over—over your—" "Well, we need to do that." And he gave it up, gave [REDACTED] power of attorney over his accounts. Now, Robert can't even go to the bank and get money himself from, you know, his own money. He has to go to [REDACTED] to get money. And that's when I believe [REDACTED], you know, would start running amuck. You know, Robert always told him he wants—he wants—he wants a business. You know, Robert wanted a—a cigar—he wanted a cigar lounge and [REDACTED] would never do anything to try to get Robert a cigar lounge, none of this.⁵²

Larry Hood recounted an incident about which he had first-hand knowledge:

[T]ake for instance when his jewelry got stolen. I was on the Chicago Police Department at the time. So, when the detectives reached out to me to help him find the jewelry, I told them where one of the guys lived that was involved with the theft of his jewelry. When they got him and got some of his stuff back. The detectives were dealing with [REDACTED] at the time to get some receipts for the jewelry and stuff. [REDACTED] was funny about producing the receipts to the detectives for the jewelry and stuff like that. So, the detectives came back to me, and they were like man this [REDACTED] man there's somethin' ain't right about him. You know, you need to talk to your boy because he don't want to share the information that we need about this jewelry. You know, he's stealing from your boy. So, when I went back to tell Rob about it, Rob, you know, he kind of shunned me off about it man, he didn't want me to tell him nothing about [REDACTED].⁵³

Bruce said he thought his brother was so trusting "Because he wanted to be accepted. He wants to be liked and loved by everyone. . . . in school when kids teased him about reading, that's why he—that's why he figured if he could become this great singer then everyone would love him."⁵⁴

Keith Calvert said:

⁵² Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, pp. 13-14.

⁵³ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 8.

⁵⁴ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 15.

[E]veryone was stealing from him. I mean, they was stealing from him. They were doing whatever they could do to survive their selves.⁵⁵

* * *

[H]e would throw parties, but the party is not really for him. The party is for everybody else. Because he had been in the back working, and everybody else at the party. And he had come out for a few minutes, but he would go back in the studio room and work. You know, so he did it for his friends can have something to do. And they didn't have to pay for nothing. And he paid for everything. So, they became people inviting people to the party, you know, and, and invite people to the party. But then it got to a point where he started having people to show their ID, because, you know, you got people coming out with any kind of way. And then you got people sneaking people in.⁵⁶

Even [REDACTED] stole from him. Mr. Kelly said that the last time he saw [REDACTED] at his house, Bruce showed up [REDACTED] and stole his car. The very last time he saw [REDACTED], Mr. Kelly gave him a Fender bass guitar to keep at the studio and told him that if he learned the songs, he'd pay him \$2,000 per week and take him on tour. Instead, [REDACTED] relapsed and stole the bass.

Two months before his arrest, Mr. Kelly went to his bank (Chase) for the first time in his life and discovered he had bad credit. A woman named Rose was kind to him and told him he had multiple accounts but had only \$300K. He took out \$10,000 for the first time in his life, and his account was frozen about a month later.

Mr. Kelly described multiple examples of false news reports about him, each of which I would consider a form of victimization by the press, particularly the tabloid press, those seeking followers on social media, and those who sell or trade them information, stories, and photographs. (In my experience, this is a universal problem for top celebrities, some of whom spend large sums on lawyers, security services, publicists, handlers, fixers, and others to prevent and discourage libelous stories and unauthorized disclosures of information and to discourage dissemination.) Mr. Kelly said his first experience with false news reports about him as a celebrity arose from an incident in which he was sitting in a McDonald's parking lot with his publicist. By his account, he was in a \$500,000 car when police asked or ordered him to exit the vehicle and broke the door when he did not. He said he went limp, and the police handcuffed him to the wall until his lawyer arrived. News outlets reported that the police had pulled him over and ordered him to turn the music down and that he refused and drove off, but he hadn't been pulled over and did not drive off. Although he wanted to sue the police for how he'd been treated, the matter was resolved when the police department provided a letter of apology. Although he was unsure of the time, even when told of events

⁵⁵ Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22, p. 10.

⁵⁶ *Id.*, p. 9.

mentioned in the Presentence Investigation Report, he thought this might have been the incident identified as misdemeanor disorderly conduct occurring at 624 N. Clark Street, Chicago, IL, on 4/6/98,⁵⁷ and I determined that there is currently a McDonald's restaurant at that location.⁵⁸ Since then, the number of transparently false reports has multiplied exponentially.

Mr. Kelly said it made him "paranoid" that every time he turned his back people tried to get information to use to rip him off or sought to obtain information they could sell. He understood that it was in large measure his inability to read or comprehend arithmetic that made him vulnerable to the predations of those who controlled his business interests and money and that he had often trusted people undeserving of his trust. Since his arrest, at least one correctional officer had sold confidential information about him.

Coercive Control?

The presentence report adopts the Government's description of Mr. Kelly and his employees as comprising an "Enterprise" for purposes of RICO prosecution, a characterization that remains in dispute.⁵⁹ When I first read about the underlying behaviors put forth as evidence of the "Enterprise," my first impression was that what was actually being described was the behavior of one man exhibiting the poorly defined pattern of behaviors known in the intimate partner violence literature as coercive control, in this instance a man in the unusual situation of being surrounded by enablers. Based on the interviews with Mr. Kelly, I now question whether even this characterization may be grossly distorted. I asked Mr. Kelly about each of the 14 behaviors that could be construed as coercive control of his employees and guests and report below what he had to say about each.

Allegation #1: Requiring that employees obtain approval before carrying out mundane tasks, such as allowing people to go to the bathroom:⁶⁰ Mr. Kelly dismissed this allegation as untrue despite some kernels of truth that he acknowledged, including his effort to keep order at his studio, particularly the studio in his home, rather than having people wander everywhere, and a problem arising when people were left behind during tour bus stops (described further below). He acknowledged that as a boss, he found he needed to be in control or

⁵⁷ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 59.

⁵⁸

https://www.google.com/maps/place/624+N+Clark+St,+Chicago,+IL+60654/@41.8932147,-87.6311742,3a,75y,224.66h,80.86t/data=!3m6!1e1!3m4!1sKDE-z5Aza_4iWYORmBhccw!2e0!7i16384!8i8192!4m5!3m4!1s0x880e2cb303d67639:0xf9544b4e6c912b21!8m2!3d41.8931774!4d-87.6315608, downloaded 6/10/22.

⁵⁹ Defendant Robert Kelly's Memorandum of Law in Support of His Supplemental Motion for a New Trial, p. 2 ff; Defendant Robert Kelly's Reply in Response to the Government's Memorandum of Law in Opposition to Defendant's Motion for a Judgment of Acquittal, p. 5 ff; Defendant Robert Kelly's Objections to the Presentence Report, pp. 2 ff.

⁶⁰ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

he'd be taken advantage of at every turn by employees, guests, and people he believed were professionals.

Allegation #2: Prohibiting employees from looking at or speaking with any of Mr. Kelly's female guests.⁶¹ Although my notes don't reflect that Mr. Kelly was asked specifically about this, he acknowledged that he didn't want his employees invading his family life or "hitting on" his wife or girlfriends. His brother Bruce described a change in Andrea's behavior after the marriage:⁶²

I don't know what to say about him and his wife. . . . [H]e had gotten to the point where he wouldn't even want her to talk to us. And we used to tour together when she was just his dancer. We always talked and, you know, laughed and this and that. But when she became Mrs. Kelly, you know, we would be saying hi to her and she wouldn't say nothing to us. Nothing.

Childhood friend Larry Hood also observed that Mr. Kelly didn't want men speaking to his wife or girlfriends, which he attributed to Mr. Kelly's insecurity.⁶³

Allegation #3: Prohibiting female assistants and employees from speaking with his male assistants in front of his female guests and girlfriends.⁶⁴ Mr. Kelly did not directly address this allegation in our interview and appeared not to understand what could have led to anyone perceiving this.

Allegation #4: Withholding a portion of an employee's salary as a "fine" if they did not meet Mr. Kelly's expectations:⁶⁵ Mr. Kelly reported that he learned to fine people from basketball, as that is a technique used by coaches, with whom he had more experience than employers (having only worked at a traditional job for one month during grammar school, cleaning at a popcorn shop). He said he fined people he should have fired. He gave as an example a woman named Diana who told him she paid \$300 for a coat that cost her \$150; she kept \$150 of the cash he'd given her for herself. Suspecting this, he planted \$100 where she'd find it, and she took it. She lied to him about the cost of the coat, claiming she didn't have a receipt, but he went to the store to check the price. Diana left for two years, then came back, told the truth, and he gave her a second chance. Just as he fined people for criminal or dishonest behavior, he would "bonus" those who did well, for example giving a \$500 tip to a "runner" who brought him chicken potpie and served it on a tray with a fork. Bruce Kelly reported that when working on tour, his

⁶¹ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁶² Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 16.

⁶³ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 10.

⁶⁴ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁶⁵ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

brother fined him \$100 if he found him smoking marijuana in his room.⁶⁶ Larry Hood said:

[S]ome things that he has done to people like as far as his employees. He's done it because he doesn't know any better. Rob has never worked a job. All he's known to do is his music. So, he don't really know how the workforce go. Like, you know, you having people work for him all type of hours. You know, he don't know that. He ain't never really worked—been in workforce.⁶⁷

Allegation #5: Requiring some employees to provide Mr. Kelly with a letter falsely confessing to bad behavior:⁶⁸ Mr. Kelly denied ever requiring employees to write a letter falsely confessing to anything, but he did get written statements from people who stole from him as a condition of continuing employment. For example, a stylist nicknamed "Cash" bought him shirts she said cost \$300 but really cost \$99. He investigated and found she'd charged him \$10,000 for \$3,000 of jewelry even as he paid her \$5,000 per week. When he confronted her with her deceptive behavior, she cried. He asked for his money back, said he'd fine her, and wanted her to write a statement and take "June Bug" (George Kelly) with her when she shopped for him in the future. He said he got written statements from both male and female employees who stole from him and tried to scam him.

Allegation #6: Expecting employees to ensure that Mr. Kelly's female guests and girlfriends abided by his rules.⁶⁹ He acknowledged having created several rules that he expected people to follow. For parties with alcohol, he required employees to make copies of ID's to limit entry to those 21 and over; anyone under 21, such as Joy Savage, was limited to the "VIP tent." Because his studio was located at his home after he had children, he had rules to maintain order and appropriate boundaries, such as not allowing other guests to interrupt Michael Jordan when he was playing pool or Diana Ross, Jay-Z, Lionel Richie, or other celebrities when they were working in the studio.

Allegation #7: Requiring guests to receive permission from Mr. Kelly before eating or going to the bathroom:⁷⁰ He denied that anyone ever needed permission to eat or use the washroom. His guests "ordered UberEats constantly," and the studio had plenty of bathrooms. The only thing that could have been so misconstrued stemmed from a problem that emerged when people were traveling on five tour buses and stopping at truck stops. People sometimes shopped at the truck stop and got left at stops, requiring the bus to return to pick them up. When this became problematic, he made a rule that the lead bus driver must check that all

⁶⁶ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 10.

⁶⁷ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 11.

⁶⁸ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁶⁹ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷⁰ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

passengers were present before leaving. Sometimes when they were behind schedule, he asked that nobody get off the bus when they stopped to refuel. [REDACTED] once got off without telling anyone and was left behind, so he told her not to get off without telling Diana or him.

Allegation #8: Requiring female guests to wear baggy clothing unless accompanying Mr. Kelly to an event, or unless otherwise instructed by him:⁷¹ Mr. Kelly said that men attending shows were so disrespectful to "my girls" when they were in the front row dressed up ("looking great") that he got off the stage to protect them more than once. He suggested the women dress down to avoid this, which they did, relieving them of the problem.

Allegation #9: Prohibiting guests from looking at other men and instructing them to keep their heads down:⁷² He said the attractive women he had around him told him that his "homies" were always hitting on them, so he suggested techniques they could use to cut off such sexual harassment and prevent disrespect, including dressing down or not engaging with them.

Allegation #10: Requiring guests to address Mr. Kelly as "Daddy."⁷³ Mr. Kelly said, "It's a hood thing, a culture thing, all girls call their man 'Daddy.'" Women who called him "Daddy" during sex would continue to call him "Daddy" in front of others "to establish their position." New women would hear others call him "Daddy," so the name stuck. When women called him "Daddy," it made him feel they really loved him. He felt good about it, but other names were fine, too. It would be a turn off to make a woman call him "Daddy," so he didn't instruct women to call him "Daddy," as that would be "cheating." Even fans he never met call him "Daddy," and other fans call him the "King of R&B," but he didn't promote or require either nickname. [REDACTED] called him "Bear" or "Papa Bear." Males called him "Big Bro." At MDC Brooklyn, other inmates call him "Pops" or "Uncle Rob" or "Unc."

Allegation #11: Obtaining sensitive information about sexual partners and retaining control over these sexual partners:⁷⁴ Mr. Kelly said he'd broken up with lots of women and never needed sensitive information.

Allegation #12: Creating embarrassing and degrading videos of sexual partners:⁷⁵ Mr. Kelly acknowledged creating sex tapes and said he'd done so for two reasons. First, "It's a turn on" and "I liked to look at it." Second, he didn't want anyone to be able to say he made them do it or raped them. This idea occurred to him when

⁷¹ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷² Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷³ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷⁴ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷⁵ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

he began hearing rumors accusing him of “making” Andrea sign a prenup or “brainwashing” her. He said he lost custody of his children because of her lies. Likewise, a hair braider who fellated him repeatedly for years accused him of forcing her to do this, but when caught in a lie about this, the accusation went away. He used videotape to prove everything was consensual and everyone was of age. Mr. Kelly said that [REDACTED] was “into all the kinky stuff” and introduced him to “scat sex.” After a “scat” session that was shown in court, he and [REDACTED] had sex and went to Starbucks together. Sometimes [REDACTED] spanked him. He mentioned a video in which [REDACTED] wore a nun outfit and he wore a priest outfit. Mr. Kelly said that [REDACTED] could leave whenever she wanted to, and she did leave several times.

[REDACTED] which he said she did. She admitted that she’d tested Mr. Kelly by asking him to invite “Nephew” [REDACTED] to join them for sex.

Allegation #13: Isolating female guests from their friends and family:⁷⁶ Mr. Kelly said the women isolated their families because of the family’s “antics,” such as putting out falsehoods about their daughter being a sex slave. Mr. Kelly couldn’t even make some of the women go home. One example he gave of parents alienating their daughter involved a woman named [REDACTED] whom he said fell in love with him. [REDACTED]

[REDACTED]. When he met her, she had an ID indicating she was 18, and while Mr. Kelly was with [REDACTED] in a hotel room, her mother texted her with instructions on how to seduce him while the parents were in the hotel lobby pretending to look for their daughter. The parents called the police, then lied to the police about her age. When the police arrived at the hotel room, [REDACTED] showed them an ID saying she was 18, and the police spoke by phone to her parents who confirmed she was 18. When her mother pretended she was concerned because [REDACTED] wasn’t answering her phone, [REDACTED] said, “You’re the one who told me to ‘turn the phone off ‘cause you’re with a celebrity’.” [REDACTED] later admitted she’d been 17 and that her mother had been sending texts that she’d be at the hotel. Mr. Kelly sent her home the next day. The parents, who had also lied to Mr. Kelly about their daughter’s age, tried to get him to approve the marketing of a dildo modeled on his penis and to use her father’s \$3,000 lights for shows instead of the \$2 million lights he was using. He said there is a 40-minute recording of [REDACTED] telling her father that it was the parents who lied to the police about her age, but the Court wouldn’t allow the defense to introduce this evidence. Another example involved Joy Savage’s parents, whom he said lied to her during the Covid pandemic to try to get her to come home, telling her that her grandmother was dying. When Joy’s grandmother did die, she wasn’t told by her family, but he learned of it from his lawyer and told Joy during a visit. The press then reported falsely that Mr. Kelly made Joy visit him instead of going to her grandmother’s funeral, but Joy knew the truth.

⁷⁶ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

Allegation #14: Making female guests dependent on Mr. Kelly for their financial wellbeing:⁷⁷ With respect to this claim, Mr. Kelly said that the women lived with him, and he supported them, paying for flights, rent, Uber, meals, gifts, shopping, and more. Gregory Preston, who drove and provided security for Mr. Kelly throughout his career, said he knew all the “girls” who traveled with Mr. Kelly: “They all knew me as Uncle Greg. I never had no issue with them. They all spoke when they got the chance. They all called me Uncle Greg with a big smile on their face. Looking nice. Like I said, they were well dressed, make up on, expensive shoes, nails polished, mink coats—”⁷⁸

Not unexpectedly, those who knew Mr. Kelly best spoke in his defense. Some had first-hand observations related to the allegations that may not have been represented in the trial record:

Bruce Kelly said:

I know for a fact that a lot of these women had been lying. You know, I worked for Robert. I worked for him since 1990 on and off until 2015. Now, me and my brothers’ relationship has never been perfect. . . . We go through things, like families just like anybody else, you know. But I do know that people will take—has—had taken advantage of him. They went through a lot of money and I’m watching it unfold. I’m watching these things unfold. You know, but basically what they say he did, you know, it’s—it’s—it’s actually crazy. . . . Robert’s never kidnapped anybody or held anybody against their will. The doors have been open for anybody to leave at any time. So, how in the world can he be found guilty of kidnapping? He—you see these girls outside smiling and laughing that nobody kidnapped me. . . . I used to make travel arrangements for different—different girls and females and stuff. Each had to go to the airport with ID to get their tickets. They had to be of age. We used to—when I used to call girls at his parties, we used to—they used to do NDAs and we would take their driver’s license or state ID’s, make photos and copies of them and attach them and make sure they were of age, you know. And—and—and I mean I’m watching these—I’m watching these different parents. I’m—I’m there when, you know, they were present. I’m there when they—when they called the police in—in—in—in Orlando. And the girl says I’m not—she’s 19, the parents say she’s 19, you know. What is that? What are you doing? Oh, but oh now you’re saying she’s underage? They had—they had—they had different plans. . . . [W]hat I see on social media and what I see what’s going on in court are two different things. They’re totally two different things. You can clearly see—you can clearly see the things, you know, some of these parents had a—

⁷⁷ Presentence Investigation Report by U.S. Probation Officer Frank Thomas Nikolaidis, p. 14.

⁷⁸ Interview of Gregory Preston by Shawnte Alexander, Ed.D., 5/18/22, pp. 7-8.

a—a—a big and brighter idea and—and now that it's not going on they want to see him put away.⁷⁹

Carey Kelly, who had been on four or five tours with his brother from 1990-1996, said:

I believe that he just he just roll with the flow. Does she like me? I like her. We see where this go. I don't think he really was in tune with these women because I believe that he knew that they were there for the wrong reasons. I mean, is you gonna give your all to something you don't feel is lucrative? You know, and that's what I think happened. Because even on his first album he said when I was broke with nobody paying attention to me; and when I got big now all the girls is surrounded me. So, he was able to recognize that. They surrounding him because he was the prize. They wanted their lives to be changed. They wanted to live lavishly. They wanted to be— they were there for the wrong reasons.⁸⁰

Angela Belton said:

He was not a leader of a cult. I know, unequivocally that he was not forcing any women to be to live with him against their will, because I've been around those women. I've been around those young women. Right. Um, I've seen them. I've seen them laugh and talk and I've seen them eat and I've been on, been on trips, you know, with him to concerts where he you know, he takes them shopping and he sends their mothers—he has sent mothers gifts and money and things of that nature. So, I think, I think a lot of it has to do with women scorned. I think a lot of it has to do with him making promises that he didn't keep. Because I had been around him. I have traveled with him. You know, I've been on several trips. He has he has sent for me to come to several places with him. And you know, these young girls would be they were a part of his not entourage, but they were around, and they were there. They seemed happy that we well taken care of.⁸¹

Childhood friend Robert Bradley said that the “original crew” who had known Mr. Kelly since childhood called themselves the “no men,” as they were the ones to warn Mr. Kelly if they saw “anything getting out of pocket,” but he was excluded from the entourage after a hair braider intent on extorting money from Mr. Kelly studied who was closest to him and falsely told him that Mr. Bradley had told her how to get money from him, soon thereafter accusing Mr. Kelly of having forced her to have oral sex with him.⁸²

⁷⁹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, pp. 17-18.

⁸⁰ Interview of Carey Kelly by Shawnte Alexander, Ed.D., 5/27/22, p. 12.

⁸¹ Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, pp. 5-6.

⁸² Interview of Robert Bradley by Shawnte Alexander, Ed.D., 5/27/22, pp. 7-8.

The behaviors that Mr. Kelly admitted during our interviews would not constitute the pattern of behavior known as coercive control, even though some of them would be appropriately characterized as controlling.

Psychiatric Diagnoses

Mr. Kelly has been falsely characterized as a “pedophile” in countless online stories.⁸³ No credible evidence supports this claim. I am unaware of any charges having been filed against Mr. Kelly alleging sexual misconduct toward prepubescent children, and nothing uncovered in our examination of Mr. Kelly suggests that he has ever experienced any attraction toward prepubescent children or engaged in any grooming behaviors toward that age group, much less that these were a preferred, exclusive, or enduring source of sexual arousal as would be required before one could entertain a diagnosis of pedophilia or pedophilic disorder.

An attraction to adolescents with fully developed secondary sexual characteristics is neither biologically nor psychologically abnormal, as evidenced by the variable social and legal norms regarding age of lawful marriage and age of consent throughout the world and throughout history. Obviously, sexual contact with anyone known to be younger than the age of consent is prohibited by law, and some of the jury verdicts in the instant trial indicate that the jury believed this to be true of Mr. Kelly. This is not grounds for a psychiatric diagnosis.

I also considered whether a diagnosis of sexual sadism or sexual sadism disorder might be warranted in light of some evidence of spanking, scripting, and apparently humiliating and demeaning behaviors in the video pornography reviewed. Because the videos do not reveal who had requested or been aroused by these behaviors, and in the absence of evidence that these behaviors were his preferred, exclusive, or enduring fantasies, desires, or activities, I do not find that the available evidence would support this diagnosis.

I concur with Dr. Sorrentino and Dr. Martell that the appropriate diagnoses of Mr. Kelly based on all of the information currently available are learning disability, social anxiety disorder (in remission), panic disorder, post-traumatic stress disorder (most recently from the assault while in custody, but also with at least intrusion and avoidance symptoms following sexual abuse in childhood and after witnessing ■■■■■’s drowning), and hypersexuality.⁸⁴

The Superstar Effect

The advent of television, the proliferation of cable channels, the popularity of the Internet, and the operation of social media have exponentially increased the

⁸³ A Google search of the words “R. Kelly pedophile” produced “About 1,120,000 results” on 5/30/22.

⁸⁴ Mitigation Report by Renee Sorrentino, MD, 6/13/22, pp. 17-19; Forensic Neuropsychological Examination Report by Daniel A. Martell, PhD, 6/6/22, pp. 8-9.

number of people with some claim to “celebrity” status. But even before any of these was invented, a curious phenomenon had been observed by Richard von Krafft-Ebing, the 19th Century forensic psychiatrist best remembered for having identified and named many of the sexual deviations recognized today:

The successful actor, musician, or vocal artist, the circus rider, the athlete, and even the criminal, often fascinate the young miss as well as the maturer woman. At any rate women rave over them, and inundate them with love letters. . . . Singers of renown easily touch woman's heart. They are overwhelmed with love letters and offers of marriage. Tenors have a decided advantage.⁸⁵

Frank Sinatra, Elvis Presley, and other superstars of the modern era share with Mr. Kelly the efforts of countless women to gain access and intimacy. While studying celebrity stalking with the support of the National Institute of Justice in the early and mid-1980s, I had occasion to observe first-hand the ceaseless maneuverings within performance venues as those in attendance vied for proximity to the performer before, during, and after the performance. I observed that physical proximity to celebrity is a cherished treasure that is brokered for personal gain by not only the entire personal entourage but even the drivers, guards, ushers, waiters, bouncers, stagehands, personal assistants, managers, and promoters whose positions provide them this currency. Even the illusion of access has provided a one-night stand to many who appear to control access to celebrities.

As Bruce Kelly described it:

. . . Robert had become a mega star and Robert had no reason to have, you know, to need anybody to help him get girls. Girls were constantly flocking to him. They wanted him, you know. They came after him. Parents came after him wanting their girls to get with him. Oh my God, you should've heard actually this mom telling her what to do, what not to do, how to do this and how to be sexy and all sorts of stuff. And they knew that the girl was underage. It—it should be a crime for them to have done what they done.⁸⁶

Keith Calvert said

everybody wants to be close to him. Because he's R. Kelly, the king of RB type of thing everybody wants to be close to him. So, when people want to be close to you, they figure out what you like. So, if you'd like girls, they gonna bring girls, if you like drugs, they're gonna bring drugs. If you like, basketball, they're gonna play basketball with you. They do anything that they can do to become friends, and to become

⁸⁵ von Krafft-Ebing R: *Psychopathia Sexualis: With Especial Reference to the Antipathic Sexual Instinct: A Medico-Forensic Study* (Klaf FS, trans.). New York: Bell Publishing Company, 1965, p. 15.

⁸⁶ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 18.

close to you. And I believe that Rob had a loving heart. So, he was gonna let people around. They wanted to be around.⁸⁷

Larry Hood, who had been on the road with Mr. Kelly, said:

. . . Rob didn't go out searching for no women, you know. He knows women be lined up trying to get him. You know, you know what you call them groupies or whatever? They would be in line to get with him; and once they broke the barrier to get with him, and to party with him or whatever you know, everybody wanted to be the main one you know. They want, you know, every lady he came in contact with wanted to be the main one . . .⁸⁸

Deborah Harris thought Robert had been left vulnerable by the death of his mother:

[H]e had no—there was, I want to say, no trust and guidance and he lost a lot when that happened. It was—and at such a young, young time you know, Rob made it in his early 20s and you know, when stardom hit and he kind of you know didn't have anyone, I want to say—somebody to guide him in a proper way, with nothing to gain . . . With like nothing to benefit from this. But just we want to see you do well. And that was kind of gone for him when he lost his mom. . . . [T]hat was a difficult, really difficult process for him. It was very painful. He couldn't you know get through a lot of situations, be crying and just, just broke down. That really did some something to him, I think it left him real vulnerable at that point. And sometimes when you vulnerable a lot of things, people start attacking you, you know, people saw ways of, you know, being able to get into his life a little bit more and him not having that foundation of not being able to read or write and do the things of that nature to understand what was going on, you know, going on really with his career. I think a lot of people begin to infiltrate through his—through his life. During that time, you know and she was kind of like his shield. You know his shield and his protection is gone now. Ms. Kelly would not have allowed certain things to—certain people to be or try to get on him now because certain people looked at him like a dollar sign now. And Rob never wanted people to look at him like that. He had a big heart and wanted people to like Robert, love Robert, not the R. Kelly image.⁸⁹

Ms. Harris also said, "Everybody was always jockeying for position. They want to sit next to him. . . . They they all wanted something. No one—you know it was hard to tell who was genuine and who wasn't. And it kept him in a—you know, it keeps him in battle situation cause you want to see the

⁸⁷ Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22, p. 8.

⁸⁸ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 8.

⁸⁹ Interview of Deborah Harris by Shawnte Alexander, Ed.D., 5/24/22, pp. 5-6.

good in everybody cause that's what he wanna do."⁹⁰

Mr. Kelly's anxiety, hypersexuality, belief that women loved him, and trust in others made it difficult for him to consistently rebuff the advances of so many women. Mr. Kelly managed his anxiety through sex and was surrounded by people who did not recognize the behavior as problematic, as long as he met their needs and kept generating music and revenue.

Positive Character Traits

Collateral witnesses described Mr. Kelly as "generous," "forgiving" of those who had wronged him, a loving father, and a kind friend. Bruce Kelly said Robert "absolutely adored his kids" and was "over the top as a father."⁹¹ Keith Calvert said, "he had a great relationship with his kids. He always do things for them, for birthdays or whatever, have horses and stuff in the yard."⁹² Larry Hood said:

[H]e really has a good heart. He's not a bad person. He has a real forgiving heart you know. People that did things to him, people around him that sued him, and came back and, you know, he forgave them and gave them their jobs back. And, you know, he, you know, he's real. He's a real kindhearted person . . .⁹³

Janet Edmonds, who has known him since childhood, described Mr. Kelly as a "great father," said, "He loves his kids, and his kids love him," and said that despite treating his family as "sacred" and trying to keep his family life separate from his studio and basketball, he invited close friends to parties and barbeques and introduced his wife, Andrea, to "everyone."⁹⁴ Ms. Edmonds said, "this man is so forgiving man, that you can do something to him and the next moment he will forgive you."⁹⁵ As an example, she provided this account:

[H]e had a friend, that pretty much did some injustice—did some things to him to get money. He basically, you know, played game to get some money out of him. And so, everyone was upset because we knew for sure that he did this particular thing the guy did this thing to him, because his inability to read and to write certain things, you know, a lot of people will try to take advantage of him, let's say like that, but he will forgive them. He know they did it, he know that they did him wrong, but he will forgive them. And let them back in with open arms. And we know, God says to forgive, but we never understood his magnitude of forgiving people that have really wronged him.⁹⁶

⁹⁰ *Id.*, p. 8.

⁹¹ Interview of Bruce Kelly by Shawnte Alexander, Ed.D., 5/30/22, p. 16.

⁹² Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22, p. 10.

⁹³ Interview of Larry Hood by Shawnte Alexander, Ed.D., 5/24/22, p. 11.

⁹⁴ Interview of Janet Edmonds by Shawnte Alexander, Ed.D., 5/17/22, pp. 6-7.

⁹⁵ *Id.*, p. 13.

⁹⁶ *Id.*, p. 13.

Ms. Edmonds described Mr. Kelly as having “compassion,” and said:

He never people wanted people to know what he would do for other people. He never wanted it publicized, he would just do things. He will fill his bus up with brand new gym shoes, brand new clothing, apparel, you know, like basketball kind of stuff. . . . he would go and he would just give it out. . . . Never boasting. You know, he didn't want the news to know about it. He didn't do it for the fame, or you know, to say, okay, I did this, and I know I need you to take my picture. He did it very quietly.⁹⁷

Ms. Edmonds recalled that when his music teacher, Ms. McLin, had to make a large payment on her house to avoid eviction, Mr. Kelly gave her the money.⁹⁸

Robert Bradley, a friend from childhood, said Mr. Kelly was “always that loving, caring person.”⁹⁹ Gregory Preston described Mr. Kelly as having “a good and sharing heart,” “very caring and very sweet,” someone who would have him pull over when driving to give money to a homeless man on the road,¹⁰⁰ and as a “good father” who “loves his kids” and “showered them with gifts,” and he described Mr. Kelly’s relationship with Andrea:

It was beautiful from what I could see. Every time I was around. Seemed like they were having fun, laughing, joking, and kissing, helicopters flying over the house dropping off thousands of roses. He showered her with gifts, cars, money, furs. When I was around them it was like perfect couple.¹⁰¹

Robert Kelly reported that he bought a house for his estranged sister, Theresa Sego, whom he believed may still live in the house he bought her. Angela Belton reported that Mr. Kelly had been in the process of buying a house for his mother when she died, and he bought the house for Theresa and her husband, Louis, instead.¹⁰²

Deborah Harris said Robert had been there for her when she had an autistic child and became depressed: “[A]fter the diagnosis he was there to talk to and helping out. I wouldn't be sitting here if it wasn't for one for him.”¹⁰³ She also said:

His heart has been so good. He's forgiving people that have wronged him.¹⁰⁴

⁹⁷ *Id.*, p. 14.

⁹⁸ *Id.*, p. 14.

⁹⁹ Interview of Robert Bradley by Shawnte Alexander, Ed.D., 5/27/22, p. 6.

¹⁰⁰ Interview of Gregory Preston by Shawnte Alexander, Ed.D., 5/18/22, p. 6.

¹⁰¹ *Id.*, p. 5.

¹⁰² Interview of Angela Belton by Shawnte Alexander, Ed.D., 5/19/22, pp. 2-3.

¹⁰³ Interview of Deborah Harris by Shawnte Alexander, Ed.D., 5/24/22, p. 5.

¹⁰⁴ *Id.*, p. 8.

* * *

Rob would be outside and has done so much for people that you don't even hear about. You know, I remember was at Grant Park, a young guy, boy was selling his candy, he had a box of candy. And he came up to Rob, came up to us and said you wanna buy some candy and Rob said, "How much if I get all of it?" And he was like, "I'll be right back." He ran and got his mother, you know, came back and you know, Rob, you know, brought all up from him and lot of times people didn't see that side of him.¹⁰⁵

* * *

Rob wanted to go back to seeing the good in people. He actually believes people. . . . [S]o many people benefited, was around for the generosity of him because it was generosity. . . .¹⁰⁶

* * *

I remember he closed down the mall for Andrea to go shopping. . . . the kids, have everything they could possibly want: trips, Disney World, Disneyland, those things, he, he, he, he did those and juggled those things.¹⁰⁷

* * *

[B]ecause of his generosity, and I mean generosity, people took advantage of that, they really did.¹⁰⁸

Keith Calvert said:

I mean one thing about Robert that a lot of people don't know he has a heart of gold, and he holds no grudges and with that being said a lot times he just somewhere in his mind he forgets what people did to him and he find a way to still love them and be there for them.¹⁰⁹

* * *

[H]is heart is pure with love. And I think he gave out so much forgiveness . . .¹¹⁰

Janet Edmonds described Mr. Kelly as:

Such a nice man that . . . all ages of women, wanted to be involved with him. They loved him because he was kind so forgiving so honest—so this person that they portray in the media, oh, my god is nothing like the person that he is.¹¹¹

Although we did not ask Mr. Kelly whether he was remorseful about the offenses of which he has been convicted, he volunteered several statements taking

¹⁰⁵ *Id.*, p. 8.

¹⁰⁶ *Id.*, p. 10.

¹⁰⁷ *Id.*, p. 11.

¹⁰⁸ *Id.*, p. 11.

¹⁰⁹ Interview of Keith Calvert by Shawnte Alexander, Ed.D., 5/17/22, p. 5.

¹¹⁰ *Id.*, p. 13.

¹¹¹ Interview of Janet Edmonds by Shawnte Alexander, Ed.D., 5/17/22, p. 4.

responsibility for certain elements of his past misconduct. Mr. Kelly admitted that he'd been a "player" and became controlling after seeing how many people exploited and took advantage of him, but he did not admit to RICO violations, kidnapping, or bribery. He acknowledged that prior to his prosecution in 2008 he "didn't check IDs 100% of the time," but he said that since then, he'd been strict about it. Prior to his arrest, Mr. Kelly had released a 19-minute song titled "I Admit," and the lyrics to this song were consistent with what he told us in the interview, including admissions to lying to women and having sex with fans, a friend's partner, and a girlfriend's best friend.¹¹² He believes his shows should have been "adults only."

He was raised in the Baptist faith. His mother went to church every Sunday, and the children had to go, too, like it or not. He said that he's always believed in God, loved God, felt his gift came from God, and "felt God." For one year of his adult life, he became celibate with the help of a Baptist pastor and others who regularly prayed with him.

Mr. Kelly denied any drug use other than smoking marijuana fewer than 10 times in his life. Despite his childhood exposure to alcohol and drug abuse, he never became a daily drinker and was never told he was drinking too much. He recalled that he and his mother were both afraid to fly, and for his first overseas tour requiring flying, he and his mother each had Hennessy cognac on the plane, and that became his drink of choice for celebrations such as awards ceremonies and birthday parties.

Two supportive adult relationships identified for Mr. Kelly are his mother Joann Kelly (until her death in 1993), and his music teacher and pastor Lena McLin, and their support fostered his music career and may have mitigated the adverse effects of his adversities. He dedicated his autobiography, *Soulacoaster*, to these two women.¹¹³

Yours sincerely,

/s/ Park Dietz, M.D.

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¹¹² https://www.lyricsmode.com/lyrics/r/r_kelly/i_admit.html, downloaded 6/10/22.

¹¹³ Kelly R, with Ritz D: *Soulacoaster: The Diary of Me*. New York, Smiley Books, 2011.